

BEAVERTON POLICE DEPARTMENT

GENERAL ORDER

NUMBER: 10.05.01
SUBJECT: DOMESTIC VIOLENCE AND RESTRAINING ORDER
RESPONSE
EFFECTIVE: OCTOBER 11, 2007
REVIEW: OCTOBER 2010, 2013, 2016, 2019, 2022

1. PURPOSE. This policy prescribes and maintains a consistent approach to responding to and investigating domestic disturbance or domestic abuse incidents.

2. POLICY. It is the policy of the department to provide a proactive, pro-arrest approach in responding to domestic violence. Victim safety is our primary focus, followed by perpetrator accountability. The department is the gateway to the criminal justice system for a substantial number of victims and offenders of domestic violence (DV). The Beaverton Police Department recognizes that agency training, policies, and protocols can support consistent and effective police intervention in both misdemeanor and felony offenses, while connecting victims with community services and support. The goal of the department is to provide referrals to victim services at the earliest stage of contact.

3. DEFINITION. Domestic violence/family abuse is defined in ORS 135.230 as abuse between family or household members. Abuse is defined as attempting to cause or intentionally, knowingly or recklessly causing physical injury, intentionally, knowingly or recklessly placing another in fear of imminent serious physical injury, or committing sexual abuse in any degree.

4. TRAINING. The Beaverton Police Department will provide DV investigation training to all sworn employees within the first year of their employment. The police department will provide follow-up refresher training to all department personnel as needed. Training may include risk evaluation, interviewing domestic violence victims, primary aggressor, recognition of abuse patterns, obtaining statements, and other report writing criteria.

The police department will implement new technologies and training where appropriate to support its personnel in the investigation of domestic violence related incidents.

5. INVESTIGATION.

A. Officers responding to domestic violence calls will assist the victim in securing medical treatment, discuss services available to the victim, and assist the victim in developing a safety plan. The safety plan may include arranging for transportation

to a shelter or safe place. Officers, while still at the scene, will, if agreeable with the victim, assist in making immediate contact with Domestic Violence Resource Center (DVRC) advocates.

- B. If applicable in a mandatory arrest situation, as required by ORS 133.055, officers will determine who the “primary aggressor” is by using criteria established in ORS.
- C. To assist in identifying patterns of domestic violence/abuse, officers will document all reported incidents of domestic disturbance response on an incident report, whether or not a crime occurred. Officers will ensure that incident reports show a copy request to the DVRC. Officers should provide a second phone number where victims can be reached outside their residence (cell phone, family member, etc.).
- D. Patrol supervisors are responsible for reviewing domestic disturbance related reports to ensure that personnel have conducted thorough investigations and that all required reports and forms are completed.

6. **RESTRAINING ORDERS.** ORS outlines that the Sheriff’s Office serve the respondent personally unless the petitioner elects to have the respondent served by a private party or by a peace officer who is called to the scene of a domestic disturbance at which respondent is present. However, Beaverton Police Department officers will attempt service of restraining orders any time the petitioner has the appropriate copies available and the respondent is present or reasonably accessible at a known location nearby. When a victim of domestic violence/family abuse alleges that further family abuse may occur, ORS 107.718 provides that a court may issue a Restraining Order, including but not limited to:

- A. Restraining any party from family violence, including intimidating, molesting, interfering with or menacing the other, or attempting the same.
- B. Excluding any party from the dwelling shared or from the residence of the other until further order of the court.
- C. Requiring that a peace officer accompany the party who is leaving while removing essential personal effects of the person or the person's children.
- D. Restraining any party from interfering with the other's custody of the minor child or removing children from the jurisdiction of the court.

If an officer’s investigation determines that they have probable cause to believe that a restraining order for family abuse issued pursuant to ORS Chapter 107 exists, and that a true copy of the order and proof of service has been delivered to a county sheriff, and the sheriff has entered the existence of the restraining order in LEDS, and the person named has violated the terms of the

restraining order, then the officer MUST ARREST the person who has violated the terms of the order.

7. PARTNERSHIPS. The Beaverton Police Department remains committed to maintaining police and community partnerships with organized domestic violence groups for on-going department training, and the review of standards and policies.

Chief of Police

Date